



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Q. Zhao et al.

Serial No. 09/469,485

Filed: December 22, 1999

For: IMPROVED RECOMBINANT HEPATITIS B
SURFACE ANTIGEN

Art Unit: 1648

Examiner: S. FOLEY

Assistant Commissioner for Patents
Washington, D.C. 20231

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

TECH CENTER 1600/2900

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

MERCK & CO., INC.

By Linda A. Hudell Date 3/3/03



INFORMATION DISCLOSURE STATEMENT

except for Cite Nos. _____, copies of the references listed on the attached form are not enclosed because they have been submitted to or cited by the Office in a related application as follows:

RELATED APPLICATION		
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upon which the instant application relies for an earlier filing date under 35 U.S.C. 120. Therefore, pursuant to 37 C.F.R. 1.98(d), copies of these references are not enclosed herewith. If this is inconvenient, additional copies will be submitted upon request.

5. In accordance with 37 C.F.R. 1.97, (check one)



the attached information is filed within three months of the filing date of the captioned case.



the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.



the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).



the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.



the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

By: MICHAEL D. YABLONSKY
Attorney For Applicant(s)

Reg. No. 40,407
MERCK & CO., INC.
Patent Dept., RY60-30
P.O. Box 2000
Rahway, N.J. 07065-0907
(732)594- 4678

Date: March 3, 2003